IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 6496 OF 2005

Pradeep Brahmanand Sabat. ... Applicant.

Versus.

State of Maharashtra. ... Respondent.

Shri Anjali Patil for the Applicant.

Shri Rajashree Gadhvi, A.P.P. for the Respondent.

CORAM : ABHAY S. OKA, J.

DATED : 10th October, 2005.

P.C.:

1. Heard the learned Advocate appearing for the Applicant and the learned A.P.P. for the State.

2. The learned Advocate for the Applicant submitted that there is a gross delay in lodging the F.I.R. and in recording the statement of the prosecutrix. The learned Advocate for the Applicant submitted that the age of the Applicant is only 19 years and therefore, after filing of the charge-sheet, the Applicant deserves to be enlarged on bail.

3. The learned A.P.P.placed on record for my perusal the material collected during the course of investigation.

4. After going through the material on record, I find that no case is made out for enlarging the

Applicant on bail. The date of birth of the prosecutrix is 11th June 1989. Thus when the offence was allegedly committed, the prosecutrix had not completed the age of 16 years. There is a clear version of the prosecutrix supported by the other evidence involving the Applicant in the offence of very serious nature. No case is made out for enlarging the Applicant on bail. However, considering the age of the Applicant, the trial is required to be expedited.

5. The application is rejected. Considering the age of the Applicant, the trial is expedited and the same shall be concluded preferably within a period of six months from today.

Judge.